REMARKS

Claims 1-5 have been allowed. Claims 6, 7, 10-12, 14-17 and 19 stand rejected, while claims 9, 13 and 18 merely have been objected to as depending from a rejected claim. Claim 8 was canceled previously.

In response, the allowable subject matter of claim 13 is being incorporated into claim 12, thereby overcoming its rejection, and claim 13 is being cancelled. Therefore, claims 1-7 and 9-12 and 14-19 will be pending following entry of this amendment.

Rejection Under 35 U.S.C. §102

Claims 6, 7, 10-12, 14, 15, 17 and 19 were rejected under 35 U.S.C. §102 as being anticipated by U.S. Patent No. 6,492,775 to Klotz *et al.* (the Klotz patent).

A. Claims 6, 7, 10-11

The object detection system in claim 6 has two significant features, wherein the light emission area and the light detection area:

1. are concentric with one extending around the other; and
2. are substantially equal in size.

The Klotz *et al.* system does not possess both these characteristics.

Section 8 of the final Office Action states that the reference's light emission area, the cross section area of bulb 64, is substantially equal in size to the light detection area 80 (see Fig. 4). However, the Klotz *et al.* light bulb 64 does not extend around the light detection area 80, nor does the light detection area extend around the bulb. Instead the light bulb 64 is spaced well behind the light detection area 80 and its sensing element 84. Therefore,

the first characteristic of the object detection system in claim 6 is not taught or even suggested in the cited patent.

Looking at the Klotz *et al.* device in Fig. 4 another way shows that the reflected light from the bulb 64 travels around the light detector tube 78. Consider the area of the open end 80 of the light detector tube as the "light detection area", and the annular area around the light detector tube 78 as the "light detection area", then one area extends around the other. However, those areas are not substantially equal in size. The diameter of the light detector tube end 80 is about one fifth the diameter of the casing 58. When these diameters are employed to calculate the sizes of the annular light emission area and the light detection area, those areas do not even come close to being substantially equal. A similar size disparity exists in the other embodiments in the Klotz, *et al.* patent. With this interpretation of the reference, the second characteristic of the object detection system in claim 6 is not taught.

In view of these distinctions, claims 6, 7, 10 and 11 are not anticipated under 35 U.S.C. §102 by the Klotz, *et al.* patent.

B. Claims 12, 14, 15, 17 and 19

Claim 12 has been amended to incorporate the subject matter of claim 13, which was indicated as being allowable. This places that claim and its dependent claims 14, 15, 17 and 19 in condition for allowance.

Rejection Under 35 U.S.C. §103

Claims 11, and 16 were rejected under 35 U.S.C. §103 as being unpatentable over the Klotz, *et al.* patent.

Claim 11 is patentable for the same reasons expressed above with respect to its parent claim 6.

The rejection of claim 16 is rendered moot by the amendment to its parent claim 12, which places that independent claim in a condition for allowance.

Conclusion

For the reasons given above, reconsideration and allowance of the present application are requested.

Respectfully submitted,
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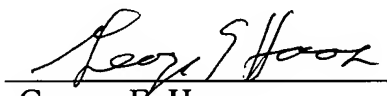
By: 
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